

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MINNESOTA**

**CIVIL MOTION HEARING**

QingHua He,

Plaintiff,

v.

U.S. Department of Homeland Security et  
al,

Defendant.

**COURT MINUTES**

BEFORE: Joan N. Ericksen  
U.S. Judge

Case No: 11cv2161 (JNE/FLN)  
Date: April 19, 2012  
Deputy: Sheri L. Frette  
Court Reporter: Maria Weinbeck  
Courthouse: Minneapolis  
Courtroom: 12W  
Time Commenced: 2:30 p.m.  
Time Concluded: 4:09 p.m.  
Time in Court: 1 Hours & 39 Minutes

Hearing on: **Government's Motion to Dismiss [#13]. It is ordered that the Defendant's motion to dismiss the Amended Complaint is granted for the reasons stated on the record. The parties agree that 8 U.S.C. § 1153h(1)(A) requires action within one year of an immigrant visa number becoming available to the alien's parent. Because the Amended Complaint does not assert any action in the relevant one-year period, the Court dismisses the Amended Complaint. No further order will be issued.**

**APPEARANCES:**

Plaintiff: Delin Qu

Defendant: Gisela A. Westwater

**\*\*IT IS ORDERED:**

☐ Submitted      ☐ Sustained      ☐ Overruled  
☐ Brief time set:  
☐ Written order forthcoming.

s/Sheri L. Frette  
Calendar Clerk